UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,259	08/07/2001	Daniel Lyakovetsky	MM4459	4902

1109 7590 06/04/2004		EXAMINER
ANDERSON, KILL & OLICK, P.C.		LY, ANH
1251 AVENUE OF THE AMERICAS		
NEW YORK,, NY 10020-1182	ART UNIT	PAPER NUMBER
	2172	

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/924,259	LYAKOVETSKY ET AL.
	Examiner	Art Unit
	Anh Ly	2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 April 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,6,7 and 9-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,6,7 and 9-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is response to Applicants' Amendment filed on 04/15/2004.

2.   Claims 4-5 and 8 have been cancelled.

3.   Claims 10-25 have been added.

4.   Claims 1-3, 6-7 and 9-25 are pending in this application.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

7.   Claims 1-3, 6-7 and 9-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Patent No. 6,549,216 issued to Schumacher et al. (hereinafter

Schumacher) in view of US Patent No. 6,502,102 issued to Haswell et al. (hereinafter

Haswell)

With respect to claim 1, Schumacher teaches identifying an occurrence of an

event that occurs while a task is being accomplished to revise an entrain a database of

file records (the occurrence of the events that result from user interaction are to be

detected and identified are stored in a file: col. 4, lines 20-32 and col. 7, lines 15-20;

also see col. 1, lines 7-15 and abstract);

recording in memory, a response to said event performed by a human operator

interacting with a graphical user interface of a computer to form one or more emulated

responses to said event, wherein said one or more emulated responses (the events are

recorded via GUI and events are emulated as a sequence of events with the user

interaction sequence: col. 2, lines 14-62, col. 4, lines 60-67 and col. 1-57);

selecting a batch of file records that require said task to be performed to execute

changes and/or revisions from a database of file records (selecting event from GUI as

shown in fig. 2, col. 5, lines 20-57, abstract and col. 2, lines 18-42 and col. 4, lines 60-

67 and col. 5, lines 1-15);

loading a specified task and said collection of emulated event handlers for such

task into a computer (recoded event would be retrieved via the loader button if fig. 2,

item 216: col. col. 5, lines 45-50 and fig. 2); and

executing said task on said selected batch of file records by matching a member

of a given event (executing the selected events or files with the options shown on fig.2:

col. 6, lines 15-35 and col. 5, lines 20-35 and lines 67-67).

Schumatcher teaches a GUI-oriented system like windows for processing an

emulated sequence of events via user interaction for recoding, selecting, loading,

executing and identifying an event with its responses from the stored even file (see

abstract and col. 2, lines 14-62). Schumatcher teaches event handling as a way of

detecting and processing user input such as mouse clicks and key presses and

iconifying windows (col. 1, lines 52-55). Schumatcher does not explicitly teach repeating

said identifying and said recording to form a collection of emulated event handlers

corresponding to events that may occur during said task.

However, Haswell teaches using GUI-oriented windows system to monitor the

emulated sequence of events in an event loop and handling sequence of occurrence of

events (col. 11, lines 55-67, and col. 12, lines 1-26; also see col. 19, lines 62-67 and

col. 20, lines 1-7 and col. 23, lines 1-40).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Schumatcher with the

teachings of Haswell so as to have a way of event handling of an emulated sequence of

event from user interaction via GUI-oriented windows system. The motivation being to

have a system having GUI-oriented system like windows for processing and

manipulating the event-driven recoding system fro stored event file via the user

interaction sequence events automatically monitoring environment.

With respect to claims 2-3, Schumatcher teaches a process for automatically

revising data as discussed in claim 1.

Schumatcher teaches a GUI-oriented system like windows for processing an

emulated sequence of events via user interaction for recoding, selecting, loading,

executing and identifying an event with its responses from the stored even file (see

abstract and col. 2, lines 14-62). Schumatcher teaches event handling as a way of

detecting and processing user input such as mouse clicks and key presses and

iconifying windows (col. 1, lines 52-55). Schumatcher does not explicitly teach collection

of emulated event handlers until an event occurs that indicates that said task is

completed.

However, Haswell teaches using GUI-oriented windows system to monitor and

manipulate the emulated sequence of events in an event loop and handling sequence of

occurrence of events (col. 11, lines 55-67, and col. 12, lines 1-26; also see col. 19, lines

62-67 and col. 20, lines 1-7 and col. 23, lines 1-40).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Schumatcher with the

teachings of Haswell so as to have a way of event handling of an emulated sequence of

event from user interaction via GUI-oriented windows system. The motivation being to

have a system having GUI-oriented system like windows for processing and

manipulating the event-driven recoding system fro stored event file via the user

interaction sequence events automatically monitoring environment.

With respect to claim 6-7 and 9-10, Schumatcher teaches a process for

automatically revising data as discussed in claim 1.

Schumatcher teaches a GUI-oriented system like windows for processing an

emulated sequence of events via user interaction for recoding, selecting, loading,

executing and identifying an event with its responses from the stored even file (see

abstract and col. 2, lines 14-62). Schumatcher teaches event handling as a way of

detecting and processing user input such as mouse clicks and key presses and

iconifying windows (col. 1, lines 52-55). Schumatcher does not explicitly teach reducing

operator responses, collection of emulated event handlers until an event occurs that

indicates that said task is completed.

However, Haswell teaches reducing the user interaction in the processing of

event handling on the occurrence of events (col. 101, lines 40-55) and using GUI-

oriented windows system to monitor and manipulate the emulated sequence of events

in an event loop and handling sequence of occurrence of events (col. 11, lines 55-67,

and col. 12, lines 1-26; also see col. 19, lines 62-67 and col. 20, lines 1-7 and col. 23,

lines 1-40).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Schumatcher with the

teachings of Haswell so as to have a way of event handling of an emulated sequence of

event from user interaction via GUI-oriented windows system. The motivation being to

have a system having GUI-oriented system like windows for processing and

manipulating the event-driven recoding system fro stored event file via the user

interaction sequence events automatically monitoring environment.

With respect to claim 11, Schumatcher teaches identifying an occurrence of an

event that occurs while a task is being accomplished to revise a file record (the

occurrence of the events that result from user interaction are to be detected and

identified are stored in a file: col. 4, lines 20-32 and col. 7, lines 15-20; also see col. 1,

lines 7-15 and abstract); and

recording in a memory, a response to said event performed by a human operator

interacting with a graphical user interface (the events are recorded via GUI and events

are emulated as a sequence of events with the user interaction sequence: col. 2, lines

14-62, col. 4, lines 60-67 and col. 1-57).

Schumatcher teaches a GUI-oriented system like windows for processing an

emulated sequence of events via user interaction for recoding, selecting, loading,

executing and identifying an event with its responses from the stored even file (see

abstract and col. 2, lines 14-62). Schumatcher teaches event handling as a way of

detecting and processing user input such as mouse clicks and key presses and

iconifying windows (col. 1, lines 52-55). Schumatcher does not explicitly teach storing

said response in an emulated event handler.

However, Haswell teaches using GUI-oriented windows system to monitor and

manipulate the emulated sequence of events in an event loop and handling sequence of

occurrence of events (col. 11, lines 55-67, and col. 12, lines 1-26; also see col. 19, lines 62-67 and col. 20, lines 1-7 and col. 23, lines 1-40).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Schumatcher with the teachings of Haswell so as to have a way of event handling of an emulated sequence of event from user interaction via GUI-oriented windows system. The motivation being to have a system having GUI-oriented system like windows for processing and manipulating the event-driven recoding system fro stored event file via the user interaction sequence events automatically monitoring environment.

With respect to claims 12-15, Schumatcher teaches a method as discussed in claim 11. Also Schumatcher teaches accessing the event record (col. 3, lines 65-67, col. 4, lines 1-10 and col. 7, lines 20-35).

Schumatcher teaches a GUI-oriented system like windows for processing an emulated sequence of events via user interaction for recoding, selecting, loading, executing and identifying an event with its responses from the stored even file (see abstract and col. 2, lines 14-62). Schumatcher teaches event handling as a way of detecting and processing user input such as mouse clicks and key presses and iconifying windows (col. 1, lines 52-55). Schumatcher does not explicitly teach employing said emulated event handler to handle said event, repeating and matching and said employing for each event in said task for said obtained record until an event occurs that indicates that said task is completed.

However, Haswell teaches repeating, matching, employing and using GUI-oriented windows system to monitor and manipulate the emulated sequence of events in an event loop and handling sequence of occurrence of events (col. 11, lines 55-67, and col. 12, lines 1-26; also see col. 19, lines 62-67 and col. 20, lines 1-7 and col. 23, lines 1-40).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Schumatcher with the teachings of Haswell so as to have a way of event handling of an emulated sequence of event from user interaction via GUI-oriented windows system. The motivation being to have a system having GUI-oriented system like windows for processing and manipulating the event-driven recoding system fro stored event file via the user interaction sequence events automatically monitoring environment.

Claim 16 is essentially the same as claim 11 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 11 hereinabove.

Claim 17 is essentially the same as claim 12 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 12 hereinabove.

Claim 18 is essentially the same as claim 13 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 13 hereinabove.

Claim 19 is essentially the same as claim 14 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 14 hereinabove.

Claim 20 is essentially the same as claim 15 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 15 hereinabove.

Claim 21 is essentially the same as claim 11 except that it is directed to a program rather than a method, and is rejected for the same reason as applied to the claim 11 hereinabove.

Claim 22 is essentially the same as claim 12 except that it is directed to a program rather than a method, and is rejected for the same reason as applied to the claim 12 hereinabove.

Claim 23 is essentially the same as claim 13 except that it is directed to a program rather than a method, and is rejected for the same reason as applied to the claim 13 hereinabove.

Claim 24 is essentially the same as claim 14 except that it is directed to a program rather than a method, and is rejected for the same reason as applied to the claim 14 hereinabove.

Claim 25 is essentially the same as claim 15 except that it is directed to a program rather than a method, and is rejected for the same reason as applied to the claim 15 hereinabove.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Contact Information

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is 703 306-4527 or via E-Mail: ANH.LY@USPTO.GOV. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on 703 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703 746-7239.

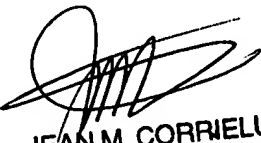Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Office (703) 872-9306 (Central Official Fax Number)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-6606 or 703 305-3900.

JEAN M. CORRIELUS
PRIMARY EXAMINER

ANH LY
MAY 27th, 2004